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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

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Simone SASSOLINI

Title:

MICRO-ACTUATOR FOR HARD-DISK DRIVE, AND
MANUFACTURING PROCESS THEREOF

Serial Number:

10/601,332

Filing Date:

June 20, 2003

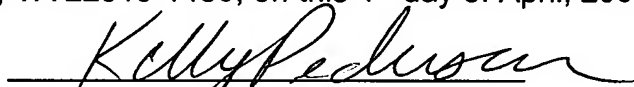
Examiner/Unit:

Allen J. Heinz / 2653

Attorney Docket No.: 2110-46-3

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4th day of April, 2005.


Signature

RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 CFR § 1.143

TO THE COMMISSIONER FOR PATENTS:

In response to the March 4, 2005 restriction requirement under 35 USC § 121, Applicants elect Group II (Claims 1-9 and 17-22) for prosecution with traverse.

According to MPEP § 803, if the Examiner can search and examine the application without serious burden, then he/she **MUST** examine the application on the merits even though it includes claims to independent or distinct inventions. As discussed below, because claims 1 – 39 recite related subject matter, the Examiner can perform a single search and examination that will cover all of the claims. Consequently, the Examiner can search and examine the application without serious burden, and, therefore, **MUST** examine all of the claims 1 – 39 together.

Claims 1 – 9 are directed to a micro-electro-mechanical device, and claims 10 – 16 are directed to a method for forming a micro-electro-mechanical device such as the device recited in claims 1 – 9. For example, independent device and method claims 1 and 10 recite many similar terms, such as “mobile part,” “fixed part,” “mobile platform,” “mobile electrodes,” and “fixed electrodes:” consequently, method claims 10 – 16 are related to device claims 1 – 9. Similarly, method claims 23 – 39 are related to device claims 17 – 22 (similar terms include “first biasing region” and “second biasing region”). Therefore, during his search for the elected Group I device claims 1 – 9 and 17 – 22, the references that the Examiner finds will include both micro-electro-mechanical devices and methods for forming these devices. Consequently, a single search will find references for both the device and method claims.

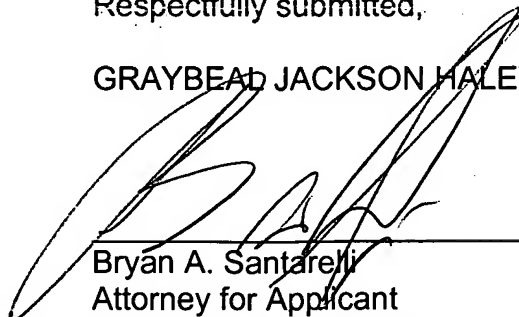
In the event additional fees are due as a result of this amendment, payment for those fees has been enclosed in the form of a check. Should further payment be required to cover such fees you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicants' attorney, Bryan Santarelli, at (425) 455-5575.

DATED this 4th day of April, 2005.

Respectfully submitted,

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